

**MOTION BY SUPERVISORS HOLLY J. MITCHELL
AND SHEILA KUEHL**

March 15, 2022

Preparing for the Closure of the Division of Juvenile Justice: Secure Youth Track Facility Designation and LA Model Expansion

On May 14, 2020, California Governor Gavin Newsom announced, as part of the revised budget, that the California Department of Corrections and Rehabilitation's Division of Juvenile Justice (DJJ) would be closing. The decision recognized the longstanding problems associated with the State youth prison system and the need to better support youth's rehabilitation and redefine public safety through providing age-appropriate treatment and keeping them closer to their communities and families. Under subsequent legislation passed in 2020¹ and 2021, intake of new youth to DJJ ended July 1, 2021, with certain exceptions, and counties began receiving annual funding starting in 2022 to meet the needs of the population currently served by DJJ. Youth currently at DJJ are expected to remain there until the facilities close on June 30, 2023 but may be transferred to counties sooner. The legislation also defined the parameters of a new dispositional track called "Secure Youth Treatment Facility" to serve as the most restrictive local alternative to DJJ, including minimum lengths of time and periodic six-month judicial reviews to determine stepping youth down to a less restrictive disposition.

¹ [Bill Text - SB-823 Juvenile justice realignment: Office of Youth and Community Restoration. \(ca.gov\)](#)

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State law sets forth a collaborative process to develop plans to meet the needs of youth realigned to county care. All counties were required to establish a subcommittee of their Juvenile Justice Coordinating Council (JJCC) to develop and submit plans for local alternatives to DJJ to a new State agency, the Office of Youth and Community Restoration, by January 1, 2022. The Juvenile Justice Realignment Block Grant (JJRBG) Subcommittee must convene to consider the plan every third year and a plan must be submitted by May 1st of each year. The importance of this collaborative process was recently adopted by the Court in the case of *Center for Equity, Leadership and Research v. County of Fresno* in which the Court held that JJRBG meetings must comply with the Brown Act and ordered the County of Fresno to triple the number of community members on its version of the JJRBG.²

Ahead of the legislation eventually adopted by the State on May 26, 2020, the Los Angeles County (County) Board of Supervisors (Board) unanimously approved a [motion](#) asking the County's Youth Justice Work Group (YJWG) – already convened and comprised of diverse experts – to begin to immediately prepare for the transition of youth who would have been committed to DJJ to instead be in the County's custody and care. The County was uniquely positioned to fold its vision for DJJ alternatives into the YJWG's existing collaborative process to transform the County's youth justice system into a rehabilitative, health-focused and care-first system. The motion thus requested that the YJWG also begin developing local plans for DJJ's closure. In late 2020, the YJWG submitted recommendations to the Board for a comprehensive, phased approach to transforming the County's youth justice system titled, "Youth Justice Reimagined," and the YJWG's DJJ Subcommittee submitted specific recommendations for developing and using alternatives to DJJ guided by the vision and principles of Youth Justice Reimagined.

Subsequently, the JJCC Subcommittee was created in January 2021, as required under State legislation, to further develop a plan for the County to assume responsibility for the custody, treatment and supervision of youth who would have otherwise been

² Center for Leadership, Equity, and Research v. County of Fresno et al., Case # 21CECG03154, Oct. 21, 2021. Complaint available [here](#). Settlement available [here](#), with attachments [here](#).

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committed to DJJ. On February 9, 2021, the Board instructed the JJRBG Subcommittee, whose membership is established by State legislation and included a representative from each Supervisorial District, to consult with local justice, health, community, and other relevant stakeholders, to report back with: 1) recommendations that consider and incorporate, where appropriate, the YJWG's recommendations, including those from the [report](#) entitled, "Youth Justice Reimagined: Recommendations of the Youth Justice Work Group DJJ Transition Team"; and 2) a DJJ plan (Plan) for approval by the Board prior to submitting the Plan to the State that includes a standing report back mechanism to the Board on an annual basis to update the Plan as needed.

After conducting site visits at the County's various secure facilities and considering their current use, capacity, and ability to be adapted to safely and effectively serve as a "secure youth treatment facility" (SYTF) that is consistent with the County's commitment to a care-first approach, the JJRBG recommended that, beginning July 1, 2021, Campus Kilpatrick in Malibu temporarily serve as the SYTF dispositional option under new state law for male youth who would have otherwise been committed to DJJ, until a renovation plan can be developed and proposed for a small group model environment at campus Scott or Scudder, located in Santa Clarita, to serve as the ongoing SYTF. On July 27, 2021, the Board [designated](#) Campus Kilpatrick as the temporary SYTF. Nearly a year later, the Los Angeles County Probation Department has failed to implement the Board's directive.

Campus Kilpatrick is the one location where the LA Model is currently implemented. The Campus was opened in July 2017 and provides a therapeutic treatment model that is youth focused. The grounds consist of small cottages instead of traditional open dormitory settings, classroom spaces, and a modern and bright dining facility. It has served up to 42 youth previously and is currently serving 24 youth. In light of the Probation Department's efforts to reduce the spread of COVID-19, as well as other efforts to implement a small group model, capacity has been reduced to approximately 45 youth. Moreover, the Campus has limited green space, classroom space, and staff sleeping quarters. It is anticipated that if Campus Kilpatrick is designated as an SYTF, it

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would be capable of use exclusively for that purpose and could house as many as 45 SYTF youth.

The JJRBG Subcommittee also recommended that the Dorothy Kirby Center (Center) permanently serve in a partial capacity as an SYTF for girls to preserve the one location that is designated as a mental-health specific level 14 placement, and because the Center already serves as the sole post-adjudication facility for all girls and has capacity to accommodate girls who are dispositioned to secure track. The Center has capacity and is permitted to house 92 girls, has served up to 85 youth previously and is currently serving 52 youth. It is anticipated that, if approved for use as a permanent SYTF for girls, less than 15 additional girls would be housed at the facility as a SYTF, and less than 16 additional staff.

Camp Scott is currently vacant but has the licensed capacity to house 110 youth. Historically, it has served 122 youth and the number of staff and youth has varied according to need. An assessment of this facility should be completed to identify physical modifications needed to create a small group model.

In addition, Camp Gonzales would continue to be reserved for a vocational training program (and a possible step-down facility) as set forth in the motions adopted by the Board on [May 15, 2018](#) and [January 25, 2022](#). Similarly, the Challenger Memorial Youth Center in Lancaster would continue to be reserved for a residential vocational training facility for young adults as set forth in the motions adopted by the Board on [October 30, 2018](#) and [April 6, 2021](#).

Other facilities, including the juvenile halls, were considered and ruled out as an SYTF for reasons that included being overly institutional and lacking capacity to be used without serious disruption to the youth populations currently housed there. Further, the County's halls are used to house young people who are pending disposition and are not suitable for use as permanent housing or to provide intensive rehabilitative services. Other facilities, like Camps Munz and Mendenhall, that have been closed for several years, were considered and rejected in light of years of declining numbers of incarcerated

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youth, the County's commitment to keep reducing its reliance on detention, and the cost of repurposing facilities that have fallen into significant disrepair.

These considerations and recommendations echo and are consistent with those articulated in the W. Haywood Burns Institute's final [report](#) issued in December 2020 based on last year's multi-stakeholder DJJ Transition Team that convened intensely over six months. Beyond the designation and physical preparation of facilities, the JJRBG Subcommittee's recommendations and ongoing work focus on the importance of multi-disciplinary decision-making and staffing; a continuum of comprehensive, restorative programs and supports; and less restrictive placement options in the community for youth to step down when they are ready in alignment with best practices around youth development and comprehensive public safety.

Community input was heard over the course of numerous public meetings. The Probation Oversight Commission (POC) conducted two virtual [townhalls](#) to hear public input on secure youth treatment facilities on [November 15, 2021](#) and [January 5, 2022](#); collaborated with the Probation Department, JJRBG Subcommittee, and Supervisorial District 5 to conduct two in-person townhalls on November 10, 2021 and December 7, 2021; and included on the agenda and heard public comment on the issue at three regular public meetings of the Probation Oversight Commission on [August 26, 2021](#), [October 14, 2021](#), and [February 10, 2022](#). The JJRBG conducted and submitted the results of a facility [assessment](#) on October 21, 2021, which identified Camps Scott, Paige, Afflerbaugh, and the Dorothy Kirby Center as feasible sites.

The youth who will be committed to the secure track facility and would otherwise have gone to DJJ are our young people. They are vulnerable and profoundly in need of alternatives rooted in harm repair, healing, and preparation for their future when they return to the community. They have seen, experienced and endured a great deal of systemic and community trauma. The current systems of incarceration only perpetuate the harms they experienced because they are foundationally built out of punishment and isolation. In creating an alternative model that comports with Youth Justice Reimagined, we can work towards ending system-involvement for these youth. Designation of a

permanent SYTF is long overdue and critically needed to swiftly move youth out of the prison-like setting they are currently in at Barry J. Nidorf Juvenile Hall and allow the JJRBG to focus on staffing and programming for the SYTF as part of ensuring safety, security and adequate support of youth. Proposed facilities are being assessed, and the Probation Department should report back to the Board once needed improvements are identified and an environmental analysis is complete.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

- 1) Find that the included actions are not subject to the California Environmental Quality Act (CEQA) because they are activities that are excluded from the definition of a project by section 21065 of the Public Resources Code section 21065 and consist of organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment pursuant to Section 15378(b)(5) of the State CEQA Guidelines. Prior to approving any activity that would constitute a project under CEQA, appropriate environmental documentation and findings by the Board of Supervisors (Board) would be necessary. Upon the Board's approval of the actions herein, the Probation Department will file a Notice of Exemption with the County Clerk in accordance with section 21152 of the State CEQA Guidelines and will post the notice to the County website in accordance with section 20192.2.
- 2) Support further exploration of the potential future identification of Campus Kilpatrick and Camp Scott as the permanent Secure Youth Track Facility (SYTF) locations for male youth; and Dorothy Kirby Center as the permanent SYTF location for girls by requesting the report back information herein. In addition, support further exploration of the potential future identification of Los Angeles County's (County's) juvenile halls as the permanent locations for youth awaiting disposition or transfer to a disposition *only*, unless otherwise necessitated by a Court order; emergencies; and medical and mental health necessity, by requesting the report back information herein.

- 3) Instruct the Chief Probation Officer (CPO), in collaboration with the Youth Justice Transition Advisory Group (YJTAG), County Counsel, the Juvenile Justice Realignment Block Grant Subcommittee (JJRBG), and other relevant stakeholders to: (a) develop a plan for proposed renovations and other necessary physical modifications, as necessary, at Camp Scott, the Dorothy Kirby Center and Campus Kilpatrick, that would make the camps safe and ready for use in accordance with the values of Youth Justice Reimagined (YJR) and recommendations of the JJRBG, and in compliance with California Building Standards Code, Title 24 mandates; (b) commence appropriate environmental review of the proposed plan in compliance with CEQA; and (c) return to the Board within 120 days with the proposed designation of Campus Kilpatrick and Camp Scott as the permanent SYTF for boys, and Dorothy Kirby Center as the permanent SYTF for girls, along with necessary recommendations for findings and analysis under CEQA to support the designation; or report back in writing within 30 days if it is anticipated that a longer timeframe will be required in order to satisfy the requirements of CEQA.
 - a. Instruct the CPO to provide regular updates to the Probation Oversight Commission (POC) on the status of the plans described in Directive 3, especially as it pertains to alignment with YJR values; the quality of the process and collaboration with members of the JJRBG and the YJTAG in its development, including the sharing of information; and, given the anticipated growth of the secure track population in the short-term, efforts to address the need to timely prepare these facilities to provide programs and services to appropriately serve secure track youth as they receive their disposition. In addition, instruct the Executive Director of the POC to immediately notify the Board of any unreasonable delay or lack of collaboration and information sharing that the POC determines has the potential to negatively impact the County's readiness to serve the SYTF population.

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- 4) Instruct the CPO to immediately convene the Multi-Disciplinary Team of each youth currently awaiting secure track placement at Barry J. Nidorf Juvenile Hall and develop individual plans for each youth who can currently be served by existing staff and programming to move them to an existing camp as quickly as possible; and report back in writing in 45 days with a status update.
- 5) Instruct the Chief Executive Officer and the CPO, in collaboration with other relevant stakeholders, to report back in writing in 45 days with an implementation plan for a program that utilizes staff classified as Deputy Probation Officer II to support the expedited placement of secure track youth, including an analysis of remaining gaps in resources that need to be addressed and timelines for implementation with a discussion of how to meet any needs created by the anticipated growth of the secure track population in the short-term.
- 6) Instruct the CPO and the Interim Director of the Office of Diversion and Reentry (ODR), in collaboration with the YJTAG, JJRBG Subcommittee, and other relevant stakeholders, to begin implementing and overseeing a Credible Messenger mentorship pilot at Campus Kilpatrick, as contracted by the Youth Development and Diversion Division of ODR, and eventually the Department of Youth Development once it is created, which will involve up to ten mentors at a time providing services to youth at the site with no physical modifications or changes to existing operations at the facility; identify any additional funds for the pilot, as needed; and report back in writing in 90 days with an update on implementation. In addition, instruct the JJRBG and the CPO to include funding recommendations in the Senate Bill 823 plan.

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(CAS/JM)